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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:11-CR-414-PMP (RJJ)
)	
JOSE CARDENAS,)	
Defendant.)	
)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on February 1, 2012, defendant JOSE CARDENAS pled guilty to Count One of a Two-Count Criminal Indictment charging him with Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 21, United States Code, Section 846 and 841(a)(1). Docket #22, #50.

This Court finds defendant JOSE CARDENAS agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and in the Plea Memorandum. #22, #50.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the Plea Memorandum and the offense to which defendant JOSE CARDENAS pled guilty.

The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(1) and 853(a)(2); Title 18, United States Code, Section 924(d)(1), (2)(C) and (3)(B) and Title

1 28, United States Code, Section 2461(c); and Title, 21, United States Code, Section 881(a)(11) and
2 Title 28, United States Code, Section 2461(c).

- 3 a. a Smith & Wesson model 659, .9mm semiautomatic pistol, serial
- 4 number TBL8273;
- 5 b. any and all ammunition; and
- 6 c. \$640.00 in United States Currency (“property”).

7 This Court finds the United States of America is now entitled to, and should, reduce the
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
10 United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
12 JOSE CARDENAS in the aforementioned property is forfeited and is vested in the United States of
13 America and shall be safely held by the United States of America until further order of the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
17 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
18 name and contact information for the government attorney to be served with the petition, pursuant to
19 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
21 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

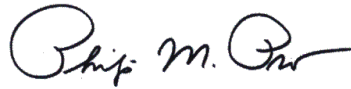
22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
23 shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the
24 following address at the time of filing:

25 MICHAEL A. HUMPHREYS
Assistant United States Attorney
26 DANIEL D. HOLLINGSWORTH

1 Assistant United States Attorney
2 Nevada State Bar No. 1925
3 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
5 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
6 following publication of notice of seizure and intent to administratively forfeit the above-described
7 property.

8 DATED this _ 3rd day of February, 2012.

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UNITED STATES DISTRICT JUDGE
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1 PROOF OF SERVICE

2 I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the
3 following individuals were served with a copy of the foregoing Preliminary Order of Forfeiture on
4 February 3, 2012, by the below identified method of service:

5 CM/ECF:

6 Frank H Cofer , III
7 Frank H. Cofer III, LLC
8 330 E Charleston Blvd Suite 204
9 Las Vegas, NV 89104
Email: fcofer@gmail.com
Counsel for Defendant Juan Cardenas

10 Paul Riddle
11 Federal Public Defender
12 411 E. Bonneville Suite 250
13 Las Vegas, NV 89101
14 Email: ECF_Vegas@FD.ORG
15 Counsel for Defendant Juan Cardenas

14 Rachel M. Korenblat
15 Federal Public Defender
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19 Counsel for Defendant Juan Cardenas

18 Benjamin C Durham
19 330 E. Charleston Blvd. Suite 204
20 Las Vegas, NV 89104
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22 Counsel for Defendant Jose Cardenas

21 Garrett T Ogata
22 Law Offices of Garrett T Ogata
23 3841 W Charleston Blvd
24 Las Vegas, NV 89102
25 Email: admin@gtogata.com
26 Counsel for Defendant Javier Pichardo-Lopez

1 Mace J Yampolsky
2 Mace Yampolsky, LTD
3 625 S. Sixth St.
4 Las Vegas, NV 89101
5 Email: Mace@macelaw.com
6 Counsel for Defendant Javier Pichardo-Lopez

7 /s/ Elizabeth Baechler-Warren
8 Elizabeth Baechler-Warren
9 Forfeiture Support Associate Paralegal
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